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FAX MESSAGE

Send To:

Name: **Examiner Binta Robinson  
Group 1625**  
Firm: **U.S. Patent and Trademark Office**

FAX Number: **703-746-5018**  
Telephone Number:

From:

Name **Sally P. Teng**

Floor:

Operator Sending:

Telephone Number: **202-739-5734**

Time Sent:

Date Sent: **December 8, 2003**

Number of Pages (INCLUDING COVER PAGE): **19**

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**U.S. Patent Application of Roger READ et al.  
U.S. Serial No. 09/673,305  
Filed: March 19, 2001  
For: PRODUCTION OF FURANONES**

**Group 1625  
Examiner: Robinson, Binta M.**

Comments

**Attached is a COPY of the Amendment and accompanying papers filed October 9, 2003.**

**Respectfully submitted,  
Sally P. Teng  
Reg. No. 45,397**

PLEASE STAMP AND RETURN TO SHOW RECEIPT OF:

In re APPLICATION of:

Roger READ *et al.*

Appln. No.: 09/673,305

Filed: March 19, 2001

FOR: PRODUCTION OF FURANONES

Group Art Unit: 1625

Examiner: Robinson, Binta M.

- 
1. AMENDMENT TRANSMITTAL FORM
  2. AMENDMENT UNDER 37 C.F.R. § 1.111

Attorney Docket No.: 047763-5017-US

Dated: October 9, 2003

SPT/mk



**DOCKETED**

By SA Date 076-03

PATENT  
ATTORNEY DOCKET NO.: 047763-5017-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Roger READ, *et al.*

Application No.: 09/673,305

Filed: March 19, 2001

FOR: PRODUCTION OF FURANONES

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) Group Art Unit: 1625  
)  
) Examiner: Robinson, Binta M.  
)  
)

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Mail Stop Non-Fee Amendment  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment responding to the Office Action dated July 10, 2003.

2. Additional papers enclosed:

- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, copies of \_\_\_ references
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- ☐ Drawings: ☐ Formal ☐ Informal (Correction)

ATTORNEY DOCKET NO. : 047763-5017-US

Application No.: 09/673,305

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### 3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

| <u>Total Months Requested</u>         | <u>Fee for Extension</u> | <u>[Fee for Small Entity]</u> |
|---------------------------------------|--------------------------|-------------------------------|
| <input type="checkbox"/> one month    | \$ 110.00                | \$ 55.00                      |
| <input type="checkbox"/> two months   | \$ 420.00                | \$210.00                      |
| <input type="checkbox"/> three months | \$ 950.00                | \$475.00                      |
| <input type="checkbox"/> four months  | \$1,480.00               | \$740.00                      |
| <input type="checkbox"/> five months  | \$2,010.00               | \$1,005.00                    |

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension of time fee due with this request: \$0.00

### 4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Director is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

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Application No.: 09/673,305  
Page 3

5. Fee Calculation (37 C.F.R. §1.16) (SMALL ENTITY)

| CLAIMS AS AMENDED  |   |       |                                |                  |                   |            |
|--|---|-------|--------------------------------|------------------|-------------------|------------|
|  | Claims<br>Remaining<br>After<br>Amendment |       | Highest No.<br>Previously Paid | Present<br>Extra | at Rate of        | Total Fees |
| Total Claims<br>(37 C.F.R. §1.16(c))                                       | 36  | minus | 48                             | 0                | x \$18/\$9 each=  | \$ 0.00    |
| Independent Claims<br>(37 C.F.R. §1.16(b))                                 | 10  | minus | 11                             | 0                | x \$84/\$43 each= | \$ 0.00    |
| <input type="checkbox"/> First presentation of Multiple dependent claim(s) |   |       |                                |                  | \$290/\$143       | \$ 0.00    |
| SUB-TOTAL =  |   |       |                                |                  |                   | \$ 0.00    |
| Fee for __ Month Extension of Time   |   |       |                                |                  |                   | \$ 0.00    |
| Reduction by ½ for filing by a small entity                                |   |       |                                |                  |                   | \$ 0.00    |
| TOTAL FEE =  |   |       |                                |                  |                   | \$ 0.00    |

6. Fee Payment

- ☒ No fee is to be paid at this time.
- ☒ The Director is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully Submitted,  
Morgan Lewis & Bockius LLP

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PATENT  
ATTORNEY DOCKET NO.: 047763-5017-US

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Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

**AMENDMENT UNDER 37 C.F.R. § 1.111**

This paper responds to the Office Action, dated July 10, 2003, time for response to which expires October 10, 2003. Applicants respectfully request reconsideration of this application in view of the following amendment and remarks.

Please amend the above-identified application as follows:

Amendment to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 13 of this paper.